

REMARKS

Responsive to the Office Action mailed December 2, 2008, Applicant provides the following. Claims 1, 2, 11 and 12 have been amended without adding new matter. Thirty (30) claims remain pending in the application: Claims 1-30. Reconsideration of claims 1-30 in view of the amendments above and remarks below is respectfully requested.

By way of this amendment, Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues, it is respectfully requested that the Examiner telephone the undersigned at (949) 932-3181 so that such issues may be resolved as expeditiously as possible.

Claim Rejections - 35 U.S.C. §103

1. Claims 1-5, 7, 8, 10-15, 17, 18, 20-25, 27, 28 and 30 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,961,139 (Kita et al.) in view of U.S. Patent No. 6,980,702 (Michiie et al.).

Regarding claim 1, neither Kita nor Michiie teach at least “an image reading unit configured to read image data of a document fed from an automatic document feeder; an image storage unit configured to store the image data read by the image reading unit; a display unit configured to display the image data stored in the image storage unit; a reading control unit configured to perform a successive reading operation, wherein, in the successive reading operation, plural sets of document sheets divided from a series of document sheets are independently fed from the automatic document feeder and read by the image reading unit until a read-end command is input, and image data corresponding to the read plural sets of document sheets is stored in the image storage unit as a series of image data corresponding to the series of document sheets; an image outputting unit configured to collectively output the image data corresponding to the plural sets of document sheets stored in the image storage unit as the series of image data when the read-end command is input; and a control unit configured

to enable the display unit to display image data corresponding to the read image data in a period from when image data of one divided set of the plural sets of document sheets is read to when image data of another divided set of the plural sets of document sheets is read, in the successive reading operation” (emphasis added), as recited in claim 1.

Kita teaches an image-forming apparatus 1 scans a plurality of documents by using a scanner section 12 in response to pushing a reading start button. The image-forming apparatus 1 stores image data of the plurality of documents in an image memory 14 as a file, transmits the image stored in the image memory 14 as the file to an information-processing apparatus 3, and displays the image on a monitor section 33 of the information-processing apparatus 3.

Michiie teaches an image processing apparatus having an IPU (image processing unit) 80 which “controls a scanner, controls the writing of document image data in the video memory, and controls image formation to be executed with the image data stored in the video memory” (Michiie, col. 5, lines 20-23). The IPU 80 includes a CPU (central processing unit) 88 which performs reading image data from, and writing image data to, memory. The CPU 88 can transfer the image data to an operation panel 60 to be displayed. Also, the CPU 88 can send a request to read image data out of memory, and the image processing apparatus can print an image corresponding to the image data read out.

Neither Kita nor Michiie, either alone or in combination, teach at least the following portion of claim 1: “a control unit configured to enable the display unit to display image data corresponding to the read image data in a period from when image data of one divided set of the plural sets of document sheets is read to when image data of another divided set of the plural sets of document sheets is read, in the successive reading operation.” Regarding Kita, the Examiner acknowledges, and Applicant agrees, that Kita fails to teach the above-quoted portion of claim 1 (Instant Office Action, pg. 4 (see item 7)). The Examiner asserts, however, that the combination of Kita and Michiie render this portion of claim 1 obvious (*Ibid.*, pp. 4 and 5). Applicant respectfully disagrees.

While Michiie does teach that image data corresponding to scanned documents may be read out of memory and displayed on an operation panel, there is no teaching in Michiie regarding the timing of displaying image data on the operation panel relative to the scanning operation. Claim 1 includes limitations directed to a successive reading operation in which document sheets are fed from an automatic document feeder and read by an image reading unit. Image data read during the successive reading operation can be displayed before the successive reading operation is complete. That is, image data corresponding to documents already scanned in the successive reading operation can be displayed before other documents that are to be scanned in the successive reading operation are scanned. Michiie does not teach or suggest such a feature. Thus, Michiie does not teach or suggest at least “a control unit configured to enable the display unit to display image data corresponding to the read image data in a period from when image data of one divided set of the plural sets of document sheets is read to when image data of another divided set of the plural sets of document sheets is read, in the successive reading operation,” as recited in claim 1. Therefore, even assuming *arguendo* the combination of Kita and Michiie is proper, the references do not render claim 1 obvious at least because they do not teach or suggest at least this portion of claim 1.

Furthermore, the Examiner asserts it would have been obvious to one of ordinary skill in the art to combine Kita with Michiie to achieve the claimed invention “so the user can visually verify the documents that have just been scanned” (Instant Office Action, pg. 5). Applicant respectfully disagrees that the invention of claim 1 would be obvious in light of Kita and Michiie at least because of the respective teachings of these references regarding displaying image data. Kita teaches that scanned documents are displayed on the monitor section 33 of the information-processing apparatus 3. That is, image data of a scanned document is sent from an image-forming apparatus 1 over a network to be displayed remotely on a computer monitor. In contrast, claim 1 recites that the image processing apparatus comprises the display unit, as illustrated at FIG. 7 of the instant application.

While Michiie teaches an operation panel 60 at the image processing apparatus to which image data can be sent, Michiie teaches the “display resolution available with the operation panel 60 is generally low” (Michiie, col. 6, lines 33-36). Michiie is directed to an image processing apparatus that can retrieve particular pages of stored image data from memory (col. 1, line 63 to col. 2, line 18). Thus, a purpose of displaying image data at the operation panel 60 of Michiie is to identify particular pages of stored image data. In light of the teachings of Michiie, one of ordinary skill in the art would not be led to use the operation panel 60 for the same purpose as the recited invention because the low resolution would hinder the ability to preview scanned documents (see FIG. 8 and the corresponding description of the instant Application). That is, the Examiner’s assertion that the cited references would lead one of ordinary skill in the art to an image processing apparatus able to visually verify documents that have just been scanned is not supported by the teachings of Kita and Michiie at least because Kita doesn’t teach an image processing apparatus that displays image data and Michiie teaches displaying only at low resolution for the purpose of merely identifying image data.

For at least all the reasons above, it is respectfully submitted that claim 1 is not obvious in light of Kita and Michiie, either alone or in combination.

Applicant turns now to other limitations of claim 1.

Neither Kita nor Michiie, either alone or in combination, teach at least the following portion of claim 1: “a reading control unit configured to perform a successive reading operation, wherein, in the successive reading operation, plural sets of document sheets divided from a series of document sheets are independently fed from the automatic document feeder and read by the image reading unit until a read-end command is input, and image data corresponding to the read plural sets of document sheets is stored in the image storage unit as a series of image data corresponding to the series of document sheets; an image outputting unit configured to collectively output the image data corresponding to the plural sets of document sheets stored in the image storage unit as the series of image data when the read-end command is input” (emphasis added).

Regarding Kita, the Examiner acknowledges, and Applicant agrees, that Kita fails to teach the above-quoted portion of claim 1 (Instant Office Action, pg. 3). The Examiner asserts, however, that the combination of Kita and Michiie render this portion of claim 1 obvious (Ibid., pg. 4). Applicant respectfully disagrees.

While Michiie does teach retrieving stored image data and printing the corresponding image (Michiie, col. 11, lines 35-44), there is no teaching in Michiie that the timing of the command to print is at all related to a command corresponding to the end of scanning. Claim 1 includes limitations directed to a successive reading operation of document sheets until a read-end command is input. Image data corresponding to the document sheets is collectively output when the read-end command is input. That is, collectively outputting the image data occurs when the read-end command corresponding to the end of scanning the document sheets is input. Michiie does not teach or suggest such a feature. Thus, Michiie does not teach or suggest at least “a reading control unit configured to perform a successive reading operation, wherein, in the successive reading operation, plural sets of document sheets divided from a series of document sheets are independently fed from the automatic document feeder and read by the image reading unit until a read-end command is input, and image data corresponding to the read plural sets of document sheets is stored in the image storage unit as a series of image data corresponding to the series of document sheets; an image outputting unit configured to collectively output the image data corresponding to the plural sets of document sheets stored in the image storage unit as the series of image data when the read-end command is input,” as recited in claim 1. Therefore, even assuming *arguendo* the combination of Kita and Michiie is proper, the references do not render claim 1 obvious at least because they do not teach or suggest at least this portion of claim 1.

For at least all the reasons above, it is respectfully submitted that claim 1 is not obvious in light of Kita and Michiie, either alone or in combination. Therefore, it is respectfully submitted that the rejection of claim 1 is overcome and should be withdrawn. Claims 2-10 are dependent from claim 1, thus, it is

respectfully submitted that the rejection of claims 2-10 is overcome and should be withdrawn at least due to their dependency on claim 1.

Claim 11 has been amended substantially as claim 1 has been amended; thus, the comments above regarding claim 1 are also applicable to claim 11. Therefore, it is respectfully submitted that the rejection of claim 11 is overcome and should be withdrawn. Claims 12-30 are dependent from claim 11, thus, it is respectfully submitted that the rejection of claims 12-30 is overcome and should be withdrawn at least due to their dependency on claim 11.

2. Claims 6, 9, 16, 19, 26 and 29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kita in view of Michiie in further view of U.S. Patent No. 7,212,307 (Kanda).

Claims 6 and 9, and claims 16, 19, 26 and 29 depend on claims 1 and 11, respectively, which have been shown above not to be rendered obvious by Kita and Michiie. Kanda provides no further teaching regarding the invention as recited in independent claims 1 and 11. Therefore, the proposed combination of Kita, Michiie and Kanda does not render obvious the invention recited in claims 1 or 11. Thus, at least by virtue of their dependency on claims 1 and 11, it is respectfully submitted that the rejection of claims 6, 9, 16, 19, 26 and 29 is overcome and should be withdrawn.

CONCLUSION

Applicant respectfully submits that all of the claims pending in the application meet the requirements for patentability and respectfully requests that the Examiner indicate the allowance of such claims.

Any amendments to the claims which have been made in this response which have not been specifically noted to overcome a rejection based upon prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

If any additional fee is required, please charge Deposit Account Number 502456.

Should the Examiner have any questions, the Examiner may contact Applicant's representative at the telephone number below.

Respectfully submitted,

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/casey r. huffmire/

Date

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